

Licensing Panel SUPPLEMENTAL AGENDA

DATE: Wednesday 19 June 2019

AGENDA - PART I

5. TRILOGY, 6-8 WHITCHURCH PARADE, WHITCHURCH LANE, EDGWARE, MIDDLESEX, HA8 6LR (Pages 3 - 34)

Additional Information to the report of the Corporate Director Community

Note: In accordance with the Local Government (Access to Information) Act 1985, the following additional information has been admitted late to the agenda by virtue of the special circumstances and urgency detailed below:-

Agenda item

Special Circumstances/Grounds for Urgency

5. Trilogy, 6-8 Whitchurch Parade, Whitchurch Lane, Edgware, Middlesex, HA8 6LR - Noise Mitigation Report

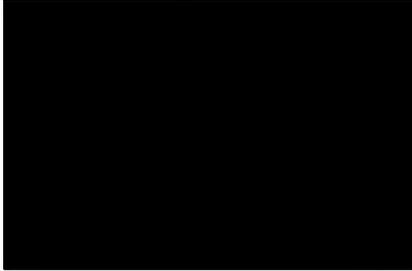
This report was not available at the time the agenda was printed and circulated as officers met with the applicant yesterday (17 June 2019) to discuss the works that have taken place at the premises which should help uphold the licensing objectives. This is a late submission of information that was not previously available.

Members are requested to consider this item, as a matter of urgency to enable the Panel to make an informed decision.

AGENDA - PART II - Nil

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Sound Licensing Ltd.



NOISE MITIGATION REPORT

TRILOGY BAR & RESTAURANT, 6-8 WHITCHURCH PARADE, EDGWARE HA8 6LR

FOR

COMPLIANCE DIRECT



ISSUE STATUS: FINAL
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APPROVED: M LAUEZZARI, MIOA MIOL

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1 Introduction

In response to a request by the Licensee, Sound Licensing has been instructed to provide Acoustic Consultancy services in respect to Trilogy Bar & Restaurant, 6-8 Whitchurch Parade, Edgware HA8 6LR, in relation to ongoing noise complaints.

The premises have been visually inspected and the current activities have been reviewed.

The premises are certainly capable, with the recommended mitigation measures, of playing regulated entertainment without causing a disturbance to neighbouring properties.

2 Consultants Experience

I confirm that I am the Principal Acoustic Consultant of Sound Licensing Limited, a company whose services include specialising in the fields of noise, acoustics and licensing. I have over 20 years of experience in the field of noise and acoustics having worked as a Principal or Lead Environmental Protection Officer in various London Boroughs from 1998 until 2017. I am a corporate member of the Institute of Acoustics (IoA) and a corporate member of the Institute of Licensing (IoL). I have a wide range of experience in all technical aspects related to acoustics, noise, planning and licensing. I have dealt with a large number of residential noise issues & managed numerous major projects as well as presenting evidence at licensing and planning committees and appeals.

I currently hold the IOA diploma in Acoustics & Noise control, the certificate of competence in environmental noise measurement and the BIIAB Level 2 National Certificate for Licensing Practitioners.

3 Site Location and Surrounding Land Use

The venue is situated at 6-8 Whitchurch Parade, Edgware HA8 6LR and occupies the whole premises, it is located in an exclusively commercial parade. To the left & right of the premises are A3/5 commercial operations. There are no residential properties directly attached to the venue. Whitchurch Lane is a busy two-lane road. There are high levels of traffic until the early hours of the morning.

Figure 3.1 below shows the site indicated in **red** and its surroundings. The nearest residential properties are indicated in **green**.

Figure 3.1 Site Location and Surrounding Land Use



4 Current Operations

The premises currently operate as a traditional restaurant during the day & evening with recorded and live music during the evening and night-time. There are no plans to change these modes of operation.

5 Licensed / Operational Hours

The current licensing hours for recorded & live music are:

Monday – Thursday	12:00 – 23:30 hours
Friday	12:00 – 00:00 hours
Saturday & Sunday	12:00 – 02:45 hours

6 Layout and Construction of the Premises

The building is single storey and of traditional brick construction; the A3/4 premises currently occupies the ground floor with an additional small function area in a converted part of the roof space. The building is part of an exclusively commercial parade.

The main area has seating around a small central area and a bar, a separate kitchen is to the rear of the building.

7 Existing Sound Insulation

A visual inspection (non-invasive) was carried out on the 25th April 2019 and the property was found to be of traditional construction with brick-built walls and plasterboard ceilings. The property is in good repair in relation to the existing sound insulation.

Walls

The exact make-up of the sound insulation could not be ascertained due to the non-invasive nature of the inspection but predicted sound reduction figures for the separating walls are shown below (based on industry standard construction):

Sound Insulation Performance of Separating Walls

	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	R_w	$D_{nT,w}$
480kg/m ² solid brick wall	41	45	45	54	54	58	54	49

The brick-built party walls are estimated to provide approximately **54dB R_w** .

Doors and Emergency Exits

There is only one designated entrance and exit on the front facade which consists of a small acoustic lobby which leads directly onto the street, in addition there are two emergency exits on the rear facade. The outer front entrance doors are of wooden construction with glazed panels, the inner lobby doors are of plate glass construction. The doors are in good condition, however there are visible gaps and no door seals have been fitted. Door closers are currently fitted to both outer entrance doors.

Windows

All windows on the front façade are fixed standard double-glazed units, all of the windows were in good condition and well fitted.

Ventilation

Ventilation is currently provided by two mechanical air conditioning units.

Sound System

An audio system has been installed which can be controlled behind the main bar (AV Surround Sound Receiver). There are 4 med/large wall mounted speakers, located in the corners of the main area, which are mounted directly to the wall directly under the existing ceiling.

Observations

The following potential noise breakout routes were noted:

- Potential for noise breakout through the front/lobby doors when they opened.
- Potential for noise breakout through the rear emergency doors.
- Potential for noise breakout through the double-glazed windows on the front facade.

External Area

There is a small external area to the rear of the premises which is not currently used. Customers who wish to smoke are directed to the front of the premises.

Sound Limiter

A sound limiter (SL2000 type) has been previously installed. The unit appears functional but has not been tested.

8 Discussion

Existing Sound Insulation

A non-invasive visual inspection was carried out to determine the existing sound insulation/noise mitigation measures. The construction of the existing front façade should be sufficient to contain operational noise from the restaurant and regulated entertainment at a level above background, however the construction of the existing lobby may lead to noise breakout.

Operational Procedures

It is essential that all the staff are made aware of the noise implications to the business and the consequences of noise complaints. A briefing is recommended to inform staff, with notices to remind staff placed behind the bar and kitchen areas. Doors should be kept closed as much as possible as this forms a clear route for the music noise to break out; customers must be persuaded not to linger around near the doors and come in and out as quickly as possible. SIA door staff should be utilised to control access & egress through the front entrance lobby.

Outside Area – Smokers

Smokers currently utilise the area directly in front of the premises under the supervision of the SIA door staff. It is recommended that consideration be given to utilising a designated roped off area with a maximum number of 10 smokers in the area at any one time.

9 Conclusion

The Local Authority, Harrow Council has recently received noise complaints regarding music emanating from the Trilogy, 6-8 Whitchurch Parade, Edgware HA8 6LR. The Licensee has instructed Sound Licensing to investigate the existing sound insulation and noise mitigation measures.

The existing sound insulation and noise mitigation measures have been visually assessed and the current and proposed operations have been reviewed.

The existing sound insulation will require improvement to ensure that adjacent residents are not adversely affected by normal operational noise levels. This report provides a full list of recommendations (see section below) which should be implemented as soon as possible. It is recommended that music levels are reduced until the recommended works are completed.

In conclusion the existing sound insulation & noise mitigation measures, with the recommended improvements carried out, including the installation of a new sound limiter(s) should be sufficient to contain any current and proposed music/noise.

10 Recommendations

It is recommended that the following works are carried out to improve the existing sound insulation. It is also recommended that a phased approach is adopted with the noise levels within the residential units being re-evaluated upon completion of each phase.

Phase 1

- The existing front entrance doors should be moved forward as far as possible to increase the size of the lobby area.
- All front entrance/lobby doors to be adjusted to ensure a good fit and acoustic seals installed to ensure there are no visible gaps.
- Door closers to be fitted to all entrance/lobby doors.
- All speakers to be relocated to directly above the dance area and positioned directly towards the floor and away from the front entrance.
- Acoustic seals and door closers to be installed to all emergency exit doors.

Sound Limiter

It is recommended that the existing sound limiter be replaced with a suitable in-line sound limiter (Formula Sound AVC2) and all amplified music should be played through the limiter:

It is recommended that any limiter is not set until all of the recommended phase 1 works are complete. The limiter should be installed in a secure location accessible only by management. The limiter should be set and certificated by a competent person.

Phase 2

- In addition to the existing double-glazed units on the front façade, secondary glazing should be installed (6mm glass with a 50mm cavity will achieve an additional 10-14dB R_w).

Ash Waghela

From: Alan Riley
Sent: 18 June 2019 11:10
To: license
Cc: Ash Waghela; Stephen Hill [REDACTED]
'trilogyrestaurant' [REDACTED]
Subject: Hearing for trilogy review application additional information.

Dear sir,

With regard to my review application for Trilogy. Please see statement below additional information to support the review.

On Tuesday the 30 of April I hand delivered letters to property's around the vicinity of Trilogy (copy of letter attached). Whilst doing this I spoke to the owner of the newsagents. She said that her tenants that lived in the flat above the shop stated that they were affected by the noise and disturbed on a regular basis. I advised her that there was a review pending and advised of their details of this and . but they were too worried about reprisals. They have signed the petition that was started by Mr Holley.

On Sunday the 12th of May 2019 visited the premises to check on the level of noise. 02:14 parked outside graham lodge in Montgomery road music was audible with the window down. Then at 02:20 sat at bus stop opposite 10 people outside smoking music clearly audible from the bus stop. 02:24 Jadish the manager came out side for a smoke so would have witnessed the level of the noise noticed one of the 13 people in smoking area was Mr Amlani.02:25 noise levels were reduced we were approached by Mr Almani's brother and a door supervisor. Ash and Kalpesh exchanged pleasantries in English and Gujarati. 02:33 loud shouting by D.J as he carried out a sound check shouting "shut the fucking door you idiot " a few times at the top of his voice. 02:40 noise at acceptable level. however a gentle man did come outside with a glass and did drink outside whilst smoking as he re-entered he slammed the door open causing a loud bang he was drunk. 02:45 3 drunk ladies were singing loudly to the front of the property (no door staff were evident at this time.0255 no noise 03;00 people heard leaving the premises from Montgomery road before we left the area.

On Thursday the 16th of May 2019. A meeting at the restaurant in attendance was myself jo smith,Shankar Mr Amlani and Bharvin a glazer. At this meeting it was discussed that remedial works would be undertaken in the form of secondary glazing and the relocation of the front doors this was agreed to be started by the end of the week ending 25th may. It was also discussed that external sound equipment would not be used on site and a sound system would be installed that was governed by a limiter. To be set at a level as to not cause a nuisance.

On Friday the 14th of June a site meeting to set the sound limiter this could not be carried out as the proposed sound system for regular use was not yet installed. This meeting was re arranged for Monday the 17th June at 15:30.as this has been done as late as possible this could not be monitored for assessment of impact on the surrounding property's.

On Monday the 17th June a visit was arranged to test and set the sound equipment. This was carried out with myself Mikia Angus and Ozge Albayrak and the clients sound engineer ,Mr Amlani and his D.J. The equipment lined up for testing was not the D.J mixing equipment, just the feed from the television and sky box.as this is not the equipment that would be used. I requested that the correct mixing deck was used to give a correct example of the levels of noise. this was eventually brought in. and tested the limiter was set at 86db. With a view to reassess should the noise nuisance continue. It was my understanding that this would have been done with time to monitor before the hearing unfortunately this was not the case.

Alan Riley
Environmental Health Technician,
Environment & Enterprise,
[REDACTED]

Prime Glaze Ltd



PrimeGlaze

LOCAL RESTAURANT LTD
T/A TRILOGY BAR & RESTAURANT
6-8 WHITCHURCH PARADE
WHITCHURCH LANE
EDGWARE
HA8 6LR

INVOICE

Page 1

Invoice No	[REDACTED]
Invoice Date	16/05/2019
Order No	
Account Ref	COUNTER

Quantity	Description	Unit Price	Net Amt	VAT %	VAT
1.00	SUPPLY AND INSTALL OF DOUBLE GLAZED WINDOWS AND DOORS	2,650.00	2,650.00	20.00	530.00
1.00	PAYMENT AS 50% DEPOSIT	0.00	0.00	20.00	0.00

Bank Details

A/C Name : Prime Glaze Ltd
A/C Number [REDACTED]
Sort Code [REDACTED]

Total Net Amount	£	2,650.00
Carriage Net	£	0.00
Total Tax Amount	£	530.00
Invoice Total	£	3,180.00

Prime Glaze Ltd



LOCAL RESTAURANT LTD
 T/A TRILOGY BAR & RESTAURANT
 6-8 WHITCHURCH PARADE
 WHITCHURCH LANE
 EDGWARE
 HA8 6LR

INVOICE

Page 1

Invoice No	[REDACTED]
Invoice Date	31/05/2019
Order No	
Account Ref	COUNTER

Quantity	Description	Unit Price	Net Amt	VAT %	VAT
1.00	SUPPLY AND INSTALL OF DOUBLE GLAZED WINDOWS AND DOORS	2,950.00	2,950.00	20.00	590.00
1.00	FINAL PAYMENT	0.00	0.00	20.00	0.00

Bank Details

A/C Name : Prime Glaze Ltd
A/C Number [REDACTED]
Sort Code : [REDACTED]

Total Net Amount	£	2,950.00
Carriage Net	£	0.00
Total Tax Amount	£	590.00
Invoice Total	£	3,540.00



Invoice To
 Nilesch Amlani
 LOcal Restaurant Ltd
 1 Rees Drive,
 Stanmore
 HA7 4YN

Deliver To
 Nilesch Amlani
 LOcal Restaurant Ltd
 1 Rees Drive,
 Stanmore
 HA7 4YN

Customer LOcal Restaurant Ltd (Trilogy)

Invoice Number	[REDACTED]	Invoice Date	27/04/2019	Due Date	04/05/2019
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Description	Amount
Meeting to discuss Review. Organise Noise Consultant to visit and survey premises	1,500.00

Notes
 Further to the initial survey, there may be additional costs, if a night time survey to be carried out.

Total £1,500.00

Terms and Conditions
 Internet Banking:
 [REDACTED]



Invoice To
 Nilesh Amlani
 Local Restaurant Ltd
 1 Rees Drive,
 Stanmore
 HA7 4YN

Deliver To
 Nilesh Amlani
 Local Restaurant Ltd
 1 Rees Drive,
 Stanmore
 HA7 4YN

Customer Local Restaurant Ltd (Trilogy)

Reference final

Invoice Number	[Redacted]	Invoice Date	23/05/2019	Due Date	02/06/2019
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Description	Amount
Further to the de-instructions of the works, this is the final invoice for the works so far completed. Advice on EPA notices and review application. Set out options and advice on different outcomes and possible mitigation. Arrange meeting with Council offices, attend meeting to agree a way forward set up noise assessment inspections and agree reports Correspondence to Licensing Authority to rearrange hearing	450.00
Late night visit by Sound Consultatnt	300.00

Terms and Conditions
 Internet Banking:
 [Redacted]

Total £750.00

CERTIFICATE FOR SOUND LIMITER

This is a certificate of compliance for the sound controlling equipment installed at Trilogy Bar & Restaurant, 6-8 Whitchurch Parade, Edgeware HA8 6LR.

Type of Sound Limiter: Formula Sound AVC2 (Serial: 019064)
 Location of Device: Ground floor bar in a locked cabinet above the stairs.
 Description of Music System: 1 x CDJ
 1 x Small mixer
 2 x QSC Audio DCA 1622 Amplifiers
 1 x Cloud CX263
 2 x JBL Large Speakers (wall mounted)
 4 x Bose Medium Speakers (wall mounted)

On the 17th June 2019 the limiter was set and measurements were carried out in the centre of the floor facing the main entrance.

The music level was checked by Mr Alan Riley, Environmental Health Technician, Harrow Council and it was agreed that the level was acceptable.

The limiter was then locked, sealed (placed over adjustment control) and the following levels were recorded in the centre of the bar:

Location	L_{Aeq,1min}*	L_{eq,1min - 63Hz}*	L_{eq,1min - 125Hz}*	Time
Centre of Bar	87.3 dB	82.1 dB	76.9 dB	16:45

*Parameters agreed by Mr Riley at time of site visit.

All measurements were carried out using a Larson Davis LXT (type 1 – s/n:0004720) sound level meter. The calibration of the measuring equipment was checked prior to and immediately following the tests and no signal variation occurred. Calibration of equipment is traceable to national standards and was last carried out in April 2018.



Matthew Lauezzari MIOA, MIOL
Principal Consultant

17th June 2019



BT Sport LIVE HERE

POLITE NOTICE
AS PER OUR LICENSING
CONDITION AND TO RESPECT
OUR NEIGHBOURS, 6 PEOPLE
MAXIMUM ARE ALLOWED TO
SMOKE AT ANY ONE TIME.

POLITE NOTICE
PLEASE LEAVE
THE PREMISES
QUIETLY
TO AVOID
DISTURBING
THE LOCAL
RESIDENTS
THANK YOU



NOTICE



- NO HOODIES
- NO CAPS
- SMART DRESS

THANK YOU



NOTICE



NO SMOKING AT REAR
DESIGNATED SMOKING AREA IS LOCATED
AT THE FRONT OF THE VENUE

THANK YOU



PRESS
BUZZER TO
ENTER





PLEASE NOTICE
PLEASE LEAVE
THE PREMISES
SOCIETY
TO AVOID
DISTURBING
THE LOCAL
RESIDENTS
THANK YOU

PULL





20

LIVE HERE

Bride & Groom



PLEASE NOTICE
PLEASE LEAVE
THE PREMISES
SECURELY
TO AVOID
DISTURBING
THE LOCAL
RESIDENTS
THANK YOU

NOTICE
NOTICE

NOTICE

NOTICE

PULL

POLITE NOTICE
PLEASE LEAVE
THE PREMISES
QUIETLY
TO AVOID
DISTURBING
THE LOCAL
RESIDENTS
THANK YOU



TRILOGY

NOTICE



TRILOGY

- NO HOODIES
- NO CAPS
- SMART DRESS

THANK YOU



TRILOGY

NOTICE



TRILOGY

NO SMOKING AT REAR
DESIGNATED SMOKING AREA IS LOCATED
AT THE FRONT OF THE VENUE

THANK YOU



TRILOGY

PRESS
BUZZER TO
ENTER



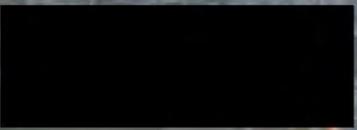
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trilogyrestaurant.co.uk

trilogyrestaurant@

WALTON

POLITE NOTICE

**AS PER OUR LICENSING
CONDITION AND TO RESPECT
OUR NEIGHBOURS, 6 PEOPLE
MAXIMUM ARE ALLOWED TO
SMOKE AT ANY ONE TIME.**



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WE ARE OPEN LICENSING
CONVENTION AND TO RESPECT
OUR NEIGHBOURS. & PEOPLE
SMOKING ARE ALLOWED TO
SMOKE AT ANY ONE TIME.

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OUR NEIGHBOURS. & PEOPLE
SMOKING ARE ALLOWED TO
SMOKE AT ANY ONE TIME.

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restaurant@gmail.com

www.trilogyrestau



POLITE NOTICE
PLEASE LEAVE
THE PREMISES
QUIETLY
TO AVOID
DISTURBING
THE LOCAL
RESIDENTS
THANK YOU

NOTICE
NO PARKING
NO CAMPING
NO LOADING
UNLESS PERMITTED
THANK YOU

NOTICE
RESIDENTS OF THIS
BUILDING SHOULD BE LOCATED
AT THE FRONT OF THE DRIVE
THANK YOU

**PRESS
BUZZER TO
ENTER**



PULL

POLITE NOTICE
PLEASE LEAVE
THE PREMISES
QUIETLY
TO AVOID
DISTURBING
THE LOCAL
RESIDENTS
THANK YOU

50 TRUCKS **NOTICE** **50 TRUCKS**
NO HOODIES
NO CAPS
SMART DRESS
THANK YOU

50 TRUCKS **NOTICE** **50 TRUCKS**
NO SMOKING AT REAR
DESIGNATED SMOKING AREA IS LOCATED
AT THE FRONT OF THE YARD
THANK YOU

50 TRUCKS
PRESS
BUZZER TO
ENTER



50 TRUCKS
BE THE ONE LEAVING
LAST AND TO VISIT
THE NEIGHBORHOOD. I DON'T
WANT YOU TO BE THE
ONE TO SAY GOODBYE TO
SOMEONE YOU KNOW






NO SMOKING
It is against the law to smoke in these premises.


NO SMOKING
It is against the law to smoke in these premises.



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